

KAYE SCHOLER LLP

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March 4, 2011

By ECF AND FACSIMILE

The Honorable Lawrence J. Block
United States District Judge
United States District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

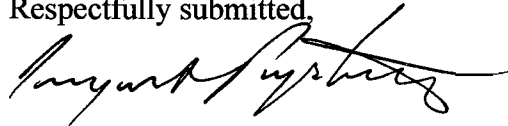
Re: Eagle Realty, LLC et al. v. Fogel et al.
Civil Docket No. 10-4099 (LJB) (MLO)

Dear Judge Block:

We represent defendants Joel Fogel, Eric Edidin, Gary Singer, Brad Singer, Archer Capital Fund, LP, M&E Advisors LLC, Joshua Lobel as principal of Archer, and ACF Hillside LLC. Enclosed please find a courtesy copy of the Stipulation of Dismissal, which was filed by ECF on March 4, 2011. We ask that the court so order the stipulation.

Thank you.

Respectfully submitted,



Margaret A. Prystowsky, Esq.
KAYE SCHOLER LLP
425 Park Avenue
New York, New York 10022

Counsel for Defendants ACF Hillside LLC, Archer Capital Fund L.P., Joel Fogel, Eric Edidin, Gary Singer, Brad Singer, Joshua Lobel, M & E Advisors, LLC, and Remus Holdings

Copies to: All Parties (by ECF)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

EAGLE REALTY, LLC, GEL, LLC,
And GRL, LLC, each a New York
Corporation; and GEORGE
LAMBRAKIS, GREGORY
LAMBRAKIS, ALEXANDER
LAMBRAKIS, and EMMANUEL
LAMBRAKIS,

Case No.: CV10-4099(FB)(JO)

Plaintiff(s),

-against-

JOEL FOGEL; ERIC EDIDIN;
FRANK BITZAS; NAT TAYLOR;
TOM DIORIO, RON ASH; GARY
SINGER; BRAD SINGER; ARCHER
CAPITAL FUND, L.P., a Delaware
Corporation; M&E ADVISORS, LLC;
REMUS HOLDINGS, JOSHUA
LOBEL as principal of ARCHER,
AFC HILLSIDE AND MARC SCOTT
KALMAN, ESQ.

Defendants(s).

X

STIPULATION OF DISMISSAL

IT IS HEREBY STIPULATED that all claims for relief against defendants Joel Fogel, Eric Edidin, Gary Singer, Brad Singer, Archer Capital Fund, LP, M&E Advisors LLC, Joshua Lobel as principal of Archer, and ACF Hillside LLC are dismissed, pursuant to FRCP 41 (a)(2), (A) without prejudice to plaintiffs' rights to continue and/or pursue actions and claims previously asserted in three New York State Court actions in Supreme Court, Queens County (Index Nos. 27393/08; 27397/08, and 27400/08) and appeals from such actions, against Archer Capital Fund, L.P. and ACF Hillside, LLC; and (B) without

prejudice to plaintiffs' rights to continue and/or pursue any claims or actions in New York State Court against Marc Scott Kallman, P.C., Marc Scott Kallman, Frank Bitzas, Glenn Allyn, Leslie Hausner, Joseph Montanile and/or the firm of Allyn Hausner & Montanile, LLP; and (C) with prejudice as to any further federal court action by plaintiffs against any of defendants here relying on 18 USC 1961 et seq. (the "RICO statute").

Each party shall bear its own attorneys' fees and costs.

Dated: March 4, 2011

KAYE SCHOZER LLP

By: 

Richard C. Seltzer, Esq.
425 Park Avenue
New York, New York 10022
(212) 836-8000

Counsel for Defendants ACF
Hillside LLC, Archer Capital
Fund L.P., Joel Fogel, Eric
Edidin, Gary Singer, Brad Singer,
Joshua Label as principal of
Archer, M&E Advisors, LLC,
And Remus Holdings

Dated: March 4, 2011

By: 

John L. Russo, Esq.
31-01 Broadway, 4th Floor
Astoria, New York 11106

Counsel for GEL, LLC
GRL, LLC, George Lambrakis
Gregory Lambrakis, Alexander
Lambrakis, and Emmanuel
Lambrakis

SO ORDERED:

USDJ